April 22, 2019

Senator Rosa Galvez  
Chair, Standing Senate Committee on Energy,  
the Environment & Natural Resources  
Senate of Canada  
40 Elgin Street  
Ottawa, ON  
K1A 0A4

RE: Written Evidence for Consideration on Bill C-69

Dear Senator Galvez:

Thank you for the opportunity to provide Devon Canada Corporation’s perspective on Bill C-69. Devon endorses submissions made by both the Canadian Association of Petroleum Producers and the Canadian Chamber of Commerce on Bill C-69. We share their deep concerns around the uncertainty and ambiguity of a one-size-fits-all legislation that creates significant disadvantage for Canadian energy companies and projects.

We support the concept of pause and review; “fixing” legislation through regulation is not a solution that will engender public trust and confidence in either the legislators, regulators or industries involved.

Specifically, we:

- Support a Project List approach that is applied consistently and transparently. Currently, criteria that determine whether a project should or should not undergo an Impact Assessment are not adequately outlined in the Act. Allowing such “discretion” in the hands of the new regulator does not provide a level of confidence nor certainty required to make long term, billion-dollar investment decisions.
- Do not support a Project List that includes in-situ projects. Such projects should only be subject to federal EA when specific areas of federal jurisdiction are potentially impacted.
- Support exclusive provincial jurisdiction of project assessment review and decision-making authority for resource development. One project, one assessment. Existing provincial expertise should be leveraged through equivalency and substitution. Additionally, the current government agencies in place (i.e. the Aboriginal Consultation Office) with the capacity to manage the Crown’s duty to consult, should remain as primary regulatory bodies.
Senator, the above comments are where we would traditionally end a submission and offer to answer any specific or further questions you or the committee may have of us. But these are different times, particularly at Devon. In February, Devon Energy, our parent company, announced its intention to exit from Canada by the end of 2019.

While several inputs went in to that decision, one of the most significant was the uncompetitive and unpredictable nature of the political, regulatory and economic climate in Canada. Devon has had a longstanding and well-deserved reputation as an excellent operator and community citizen. We are the company, the people, that have set the bar high for reducing GHG emissions, creating best practices for land management, indigenous business development and support, community investment, volunteering, operational excellence and much more. Devon’s decision isn’t a commentary on the quality of the resources in the ground or the people who manage them; it’s a commentary on proposed legislation like Bill C-69. C-69 has come to represent the tipping point for many companies, like our US-based parent, who struggle to see a path forward for investment in a time frame that makes economic sense.

Devon is a real and present example of the flight of capital from this country for you and the committee to consider. We may not have been the biggest of our peer group, but our capital investment over the last 10 years has been north of $10 billion dollars with positive trickle-down impacts to royalties, taxes, communities, and businesses across Canada. We are proud of the work we have done to responsibly develop and steward a vital resource for Albertans and Canadians. We are proud Canadians who appeal to you and your committee to take our concerns and those of our peers and associations seriously.

Thank you again for the opportunity to provide comments.

Sincerely,

[Signature]

Rob Dutton